

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY NINETH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 19882 of 2004

Between:

K.Srinivasa Reddy S/O Venkata Reddy, R/O Nadigadda village,
Tripuranthakam Mandal, Prakasam District.

..... PETITIONER

AND

1. The Joint Collector, Prakasam District, Ongole.
2. The Revenue Divisional Officer, Markapur, Prakasam District.
3. The Mandal Revenue Officer, Tripuranthakam Mandal, Prakasam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue writ or order or direction more particularly one in the nature of Writ of Mandamus, to declare the impugned proceedings of the respondent No.1 dated 16.10.2004 in Rc.CS2/4043/2004 rejecting to grant stay of the orders of the proceedings of the 2nd respondent dated 07.10.2004 in D.Dis.(H)/1840/2004 as illegal, arbitrary, unjust and consequently direct the respondent No.1 herein to hear and dispose of the appeal expeditiously.

Counsel for the Petitioner:K.ARUNA

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court made the following:

ORDER:

This writ petition is filed aggrieved by the order of the first respondent dated 16.10.2004, where under the first respondent having entertained the appeal filed by the petitioner against the order of the Revenue Divisional Officer, Markapur, dated 07.10.2004 suspending the authorization of the petitioner, rejected the application for stay.

Though the learned counsel for the petitioner raised various contentions assailing the correctness of the order of suspension dated 07.10.2004, since the statutory appeal is pending, I am not inclined to express any opinion on merits. Even the impugned order dated 16.10.2004 is only an interim order passed by the Joint Collector pending disposal of the appeal and, therefore, does not warrant interference of this court in exercise of jurisdiction under Article 226 of the Constitution of India. Hence, the relief as prayed for cannot be granted. Instead, I deem it appropriate to dispose of the writ petition with a direction to the first respondent to dispose of the appeal preferred by the petitioner against the order of the second respondent dated 07.10.2004 pending on his file, as expeditiously as possible, preferably within a period of two weeks from the date of receipt of this order.

Accordingly, the writ petition is disposed of. No costs.

29.10.2004

Note: Issue C.C. in three days.

(B/O)

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To

1. The Joint Collector, Prakasam District, Ongole.
2. The Revenue Divisional Officer, Markapur, Prakasam District.
3. The Mandal Revenue Officer, Tripuranthakam Mandal, Prakasam District.
4. Two C.Cs to the G.P. for Civil Supplies, High Court Buildings,

Hyderabad. (OUT).

5. Two C.D. copies.